

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:12cv91**

ANDRES ALMANZAR AND)
MALGORZATA ALMANZAR d/b/a)
A & A SPORTSWEAR,)
)
Plaintiffs,)
)
v.)
)
STATE FARM FIRE AND CASUALTY)
COMPANY,)
)
Defendant.)
_____)

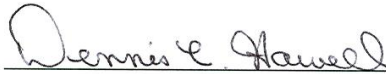
ORDER

Pending before the Court is the Defendant's Consent Motion for Modification of Pretrial Order and Case Management Plan [# 13]. The Court entered the Pretrial Order and Case Management Plan in this case on July 24, 2012, setting the discovery deadline in this case for April 30, 2013. The mediation deadline is scheduled for May 1, 2013. The deadline for filing motions is May 31, 2013. Trial is set for September 3, 2013. Defendant now moves to extend the discovery, mediation, and dispositive motion deadline to June 30, 2103. Defendant contends that this extension is necessary to allow it to conduct depositions.

Defendant has had seven months to conduct discovery in this case. In addition, the discovery deadline does not close until April 30, 2013. The

approximate nine month discovery period set forth in the Court's Pretrial Order and Case Management Plan is more than sufficient to allow the parties to conduct all discovery necessary in this case. Any delay or inability of the Defendant to conduct depositions within the existing discovery period is a result in the parties' failure to conduct discovery in a timely manner. Moreover, granting Defendant's extension would not allow the District Court with sufficient time to rule on any summary judgment motions prior to trial. Accordingly, the Court **DENIES** the motion [# 13].

Signed: March 22, 2013

A handwritten signature in cursive script, reading "Dennis L. Howell", written over a horizontal line.

Dennis L. Howell
United States Magistrate Judge

